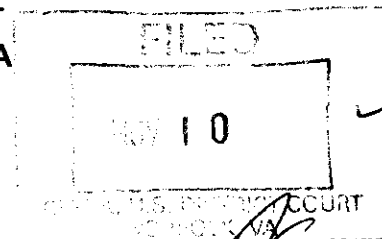


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION



DAVID C. EGGLETON

Plaintiff

v.

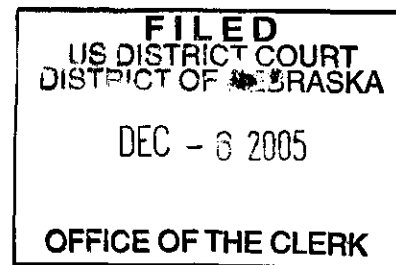
CIVIL ACTION NO. 2:05cv326

PLASSER & THEURER EXPORT  
VON BAHNBAUMASCHINEN  
GESELLSCHAFT, MBH

and

FRANZ PLASSER BAHNBAUMASCHINEN  
INDUSTRIEGESELLSCHAFT, MBH

Defendants



ORDER

This matter is before the Court on the Plaintiff's Motion for Sealing Record and Brief in Support Thereof, in the above styled case, requesting that the Court order the original pleading and attached exhibits, Plaintiff's Supplemental Memorandum in Opposition to Defendants' Motions to Dismiss for Lack of Personal Jurisdiction Pursuant to F.R.C.P. 12(b)(2), which was submitted to this Court for filing on November 2, 2005, be filed under seal.

Having considered the Motion for Sealing Record and Brief in Support Thereof filed by the plaintiff, and having considered less drastic alternatives to sealing, the Court finds that the original pleading and attached exhibits, Plaintiff's Supplemental Memorandum in Opposition to Defendants' Motions to Dismiss for Lack of Personal Jurisdiction Pursuant to F.R.C.P. 12(b)(2), which was submitted to this Court for filing on

November 2, 2005, contains and references certain items or matters which are confidential and are materials which were generated through discovery in the matter of Eggleton v. Plasser & Theuer, et al., Civil Action No. 2:05cv326, for which a Protective Order is expected to be entered imminently. Therefore, the Court finds that these matters should not be disclosed and it is appropriate and a fair balance of competing interests that the original pleading and attached exhibits, Plaintiff's Supplemental Memorandum in Opposition to Defendants' Motions to Dismiss for Lack of Personal Jurisdiction Pursuant to F.R.C.P. 12(b)(2), which was submitted to this Court for filing on November 2, 2005, be sealed.

The Court further finds that the public has been provided notice of the request to seal and interested parties have been provided a reasonable opportunity to object.

Therefore, it is ORDERED that the Motion for Sealing Record is granted and that the original pleading and attached exhibits, Plaintiff's Supplemental Memorandum in Opposition to Defendants' Motions to Dismiss for Lack of Personal Jurisdiction Pursuant to F.R.C.P. 12(b)(2), which was submitted to this Court for filing on November 2, 2005 in the above styled matter, be SEALED until further Order of this Court.

The Clerk is directed to send a copy of this Order to all counsel of record.

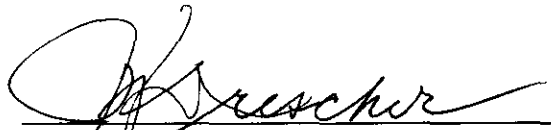
  
United States District Judge

Norfolk, Virginia

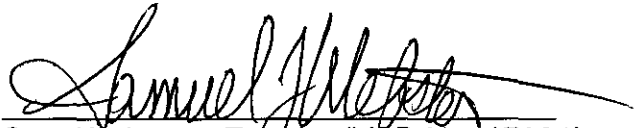
Entered: November 10, 2005

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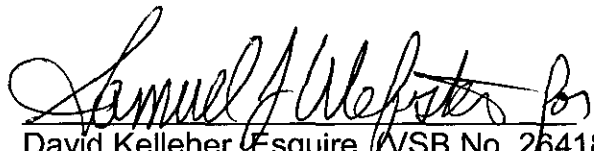
WE ASK FOR THIS:



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